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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/087,514	02/28/2002	Hideo Nishijima	16869N-044700US	4080

20350 7590 09/28/2005

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EXAMINER
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YE, LIN

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 09/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/087,514

Applicant(s)

NISHIJIMA ET AL.

Examiner

Lin Ye

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-20 are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-2, 10-11 (depend on claims 1-2) and 12-13 drawn to information recording apparatus starts or stops a operation of finalizing process based on the remaining capacity of the electric poser source, classified in class 386, subclass 46.
- II. Claims 3, 10-11 (depend on claim 3) and 14 drawn to information recording apparatus comprising upon reproduction of the recording medium, recording of the lead-out data of the finalizing process to the predetermined region. Classified in class 369, subclass 59.25.
- III. Claims 4, 10-11 (depend on claim 4) and 15 drawn to information recording apparatus comprising: lens unit for condensing optical signals and image pickup circuit for obtaining eclectic signals from the optical signals obtained through said lens unit. Classified in class 348, subclass 272.
- IV. Claims 5, 10-11 (depend on claim 5) and 16 drawn to information recording apparatus comprising: digital comprising converting circuit for converting an output from the image pickup circuit into a digital signal compressed and an exchanger circuit for4 exchanging at least one of electric power. Classified in class 348, subclass 222.1.

- V. Claims 6, 10-11 (depend on claim 6) and 17 drawn to information recording apparatus comprising: a first display circuit for displaying a result detected by detector circuit and a finalizing process circuit. Classified in class 348, subclass 333.02.
- VI. Claims 7, 10-11 (depend on claim 7) and 18 drawn to information recording apparatus comprising: a display circuit for displaying the recording information on a removable recording medium. Classified in class 369, subclass 53.24.
- VII. Claims 8, 10-11 (depend on claim 8) and 19 drawn to information recording apparatus comprising: a recording circuit for recording video information, operation of at least of lead-out data is made faster in recording speed than onto the recording medium. Classified in class 386, subclass 83.
- VIII. Claims 9, 10-11 (depend on claim 9) and 20 drawn to information recording apparatus comprising: recording of said lead-out data is conducted intermittently by a unit of a predetermined amount. Classified in class 369, subclass 47.11.

2. The inventions are distinct, each from the other because of the following reasons:

In the instant case, invention as claimed in **Group I** only teaches to start or stop a operation of finalizing process based on the remaining capacity of the electric power source, which does not include recording of the lead-out data of the finalizing process to the predetermined region as claimed in **Group II**; which does not include lens unit for condensing optical signals and image pickup circuit for obtaining electric signals as claimed

in **Group III**; which does not include digital comprising converting circuit as claimed in **Group IV**; which does not include a first display circuit for displaying a result detected by detector circuit and a finalizing process circuit as claimed in **Group V**; which does not include a display circuit for displaying the recording information on a removable recording medium as claimed in **Group VI**; which does not include a recording circuit for recording video information, operation of at least of lead-out data is made faster in recording speed that onto the recording medium as claimed in **Group VII**; which does not include recording of said lead-out data is conducted intermittently by a unit of a predetermined amount as claimed in **Group VIII**. This same reasoning could be performed for all of the groups. See MPEP § 806.05(d).

3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
4. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement is traversed (37 CFR 1.143).
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lin Ye whose telephone number is (571) 272-7372. The examiner can normally be reached on Mon-Fri 8:00AM-5:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Lye', with a long horizontal stroke extending to the right.

Lin Ye  
Examiner  
Art Unit 2615

September 26, 2005